

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF OKLAHOMA

EUEL DONAHOU,)
)
)
 Plaintiff,)
)
)
 v.)) No. 05-CV-432-JHP-FHM
)
)
 STATE OF OKLAHOMA, et al.,)
)
)
 Defendant.)

ORDER

Euel Donahou, appearing pro se in this matter, filed suit in the United States District Court for the Northern District of Oklahoma.

Plaintiff's complaint arises from a divorce and child custody action filed in 1994. Plaintiff asserts an action pursuant to 42 U.S.C. section 1983. Plaintiff appears to be alleging the same violation of his due process rights regarding a domestic relations case, Tulsa County Case No. FD-1994-1059, as has been previously asserted in three prior cases filed in this court.¹ Plaintiff's main allegation is that the Oklahoma courts have disregarded the evidence he has presented in his domestic relations case and subsequent appeals.

A court must "liberally construe the allegations of a pro se complaint." *Haines v. Kerner*, 404 U.S. 519, 520-521 (1972). The court must regard the allegations contained in the complaint as true and make any reasonable inferences that may be drawn from them in favor of the plaintiff. *Breidenbach v. Bolish*, 126 F.3d 1288,

¹ These cases were 99-CV-956-B, 02-CV-894-P, and 05-CV-141-P. All of these cases have been dismissed, and case number 05-141-P is currently on appeal to the Tenth Circuit Court of Appeals.

1292 (10th Cir. 1997).

In the instant case, the court finds it lacks subject matter jurisdiction over Plaintiff's Complaint for the reasons set forth in the Court's previous Orders filed in case numbers CV-02-984-P and CV-05-141-P.

Accordingly, this case is dismissed with prejudice.

IT IS SO ORDERED this 23rd day of September 2005.



James H. Payne
United States District Judge
Northern District of Oklahoma